

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS**

CASE NUMBER:
CO11012-AC

VIOLATOR:
Cheyenne Mountain Zoological
Society

ADDRESS (Street, City, State, ZIP Code):
Cheyenne Mountain Zoo Park
4250 Cheyenne Mountain Zoo
Road
Colorado Springs, CO 80906

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: July 29, 2009

9 C.F.R. § 2.131(c)(1) Handling of animals. During public exhibition any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public.

You failed to provide sufficient distance and/or barriers between the animals (river otters and a snow leopard) and the general viewing public during a public exhibition.

Date of Violation: July 29, 2009

9 C.F.R. § 3.127(d) Facilities, outdoor. Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.) bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility.

You failed to maintain the perimeter fence in good repair. APHIS observed gaps in the perimeter fence and that the fence was not sufficient in height in some places.

Date of Violation: July 21, 2010

9 C.F.R. § 3.127(d) Facilities, outdoor. Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.) bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility.

You failed to maintain the perimeter fence in good repair. APHIS observed gaps in the perimeter fence.

Date of Violation: November 10, 2011

9 C.F.R. § 3.127(d) Facilities, outdoor. Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.) bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility.

You failed to provide a perimeter fence that was sufficient in height.

Date of Violation: March 14, 2012

9 C.F.R. § 3.75(c)(2) Housing facilities, general. Surfaces. Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities – including houses, dens, and other furniture-type fixtures and objects within the facility – that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

You failed to maintain or repair surfaces in the non-human primate enclosures that had rust, peeling paint, and peeling plaster on them.

Date of Violation: March 14, 2012

9 C.F.R. § 3.125(a) Facilities. General. Structural Strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to maintain the fencing material covering a tree in an enclosure housing 2 goats. The fencing material had sharp edges protruding towards the animals.

Date of Violation: March 14, 2012

9 C.F.R. § 3.125(c) Facilities. General. Storage. Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

You failed to store bedding so that it was adequately protected against deterioration, molding, and contamination by vermin. You stored grass hay being used as bedding in uncovered containers.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Robert J. Huttenlocker	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 1/15/2013 TELEPHONE NUMBER: (301) 851-2948